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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on October 7, 2008

Date of Meeting: July 8, 2008

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:40 p.m., on Tuesday, July 8, 2008, all members having been notified of the time and place thereof.

### 1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Regina Romero	Council Member Ward 1
Rodney Glassman	Council Member Ward 2
Karin Uhlich	Council Member Ward 3 (Electronic Attendance)
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Vice Mayor, Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused: None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk

Roger W. Randolph, City Clerk, announced Council Member Uhlich was unable to be present for the evening's meeting, but she would be participating by telephone. This was allowable under the Mayor and Council Rules and Regulations. He stated Council Member Uhlich advised the City Clerk of her location, and assured him that no one else was present in the room with her. Council Member Uhlich could vote on all matters in the same way as those members physically present as long as she participated in any of the discussion, and was not just present for the vote. On the evening's agenda, all votes would be done by roll call rather than a voice vote.

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Chaplain Jeff Mockabee, City of Tucson Police Department, after which the Pledge of Allegiance was led by the entire assembly.

Presentations:

- a. Presentation of certificates to Latin American Students as Honorary Citizens of Tucson. Alberto Arenas accepted the proclamation.

Roger W. Randolph, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

## **3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 348, dated July 8, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Romero congratulated Council Member Uhlich for being selected as a Fellow for the 2008 Festival of Ideas in Aspen, Colorado. She also announced that July 18<sup>th</sup> would be the 2<sup>nd</sup> birthday of her son Emiliano Reyes.
- b. Vice Mayor Trasoff reported on local 4<sup>th</sup> of July events she attended including the Broadmoor-Broadway parade and the Camden/Palo Verde parade.

## **4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 349, dated July 8, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

No report given.

## 5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 351, dated July 8, 2008, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

### b. Liquor License Applications

#### New License(s)

1. Madre Mia's Mexican Cuisine, Ward 3  
1535 N. Stone Ave.  
Applicant: Beatriz Elena Cervantes Nuñez  
Series 12, City 39-08  
Action must be taken by: July 19, 2008  
Staff has indicated the applicant is in compliance with city requirements.
2. 7-Eleven #13048J, Ward 6  
5457 E. Pima St.  
Applicant: Nicholas Carl Guttilla  
Series 10, City 40-08  
Action must be taken by: July 21, 2008  
Staff has indicated the applicant is in compliance with city requirements.

#### Person Transfer(s)

3. November Bar & Cabaret, Ward 3  
4001 N. Romero Rd.  
Applicant: Ryan Nicholas Gomes  
Series 6, City 41-08  
Action must be taken by: July 28, 2008  
Staff has indicated the applicant is in compliance with city requirements.

### c. Special Event(s)

1. ArtFare the Muse, Ward 6  
55 N. 6<sup>th</sup> Ave.  
Applicant: Gayle A. Tignor Collins  
City T44-08  
Date of Event: August 2, 2008  
(Fundraiser for Façade Improvements)  
Staff has indicated the applicant is in compliance with city requirements.

2. Tucson's Young Professionals, Inc., Ward 1  
140 N. Main Ave.  
Applicant: Kelly Burke Perks  
City T45-08  
Date of Event: August 1, 2008  
(To promote community event in downtown Tucson)  
Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

There are no agent changes scheduled for this meeting

It was moved by Council Member Glassman, duly seconded, to forward liquor license applications 5b1-3 and 5c1 and 2 to the Arizona State Liquor Board with a recommendation for approval.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and  
Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

It was carried by a roll call vote of 7 to 0, to forward liquor license applications 5b1-3 and 5c1 and 2 to the Arizona State Liquor Board with a recommendation for approval.

## 6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

- a. Randy Ford expressed concern about the sale of land where El Ojito Springs once was.
- b. Ken Scoville spoke about placing a Gateway Art Project at the northeast corner of Oracle and Drachman, and his concern that the sale of the property would prevent this from happening.

- c. Geoff Gonzales gave a public invitation to the Southern Arizona Network for Downs Syndrome “Buddy Walk” fundraiser to be held in October.
- d. Mike Gurr spoke about the Tucson Police Officer Association membership’s unanimous approval of the labor contract before the Mayor and Council.
- e. John Burr spoke about the suggested alignment of the Downtown Links extension.
- f. Erik Ryberg, retained speaker for BICAS (Bicycle Inter-Community Action and Salvage), spoke about their opposition of the suggested alignment of the Downtown Links extension.
- g. Glenn Lyons of the Downtown Tucson Partnership expressed their support for the suggested alignment of the Downtown Links extension.
- h. Terrence McMahon expressed concerns about the suggested alignment of the Downtown Links extension and suggested further study.
- i. Chuck Bressi, President of Armory Park Neighborhood Association, spoke in support of the suggested alignment of the Downtown Links extension.
- j. Carrie Calvert expressed concerns about the suggested alignment of the Downtown Links extension.
- k. Barbara Bixby listed questions she had about the suggested alignment of the Downtown Links extension.
- l. Gene Caywood, Chair of the Downtown Link Citizen Advisory Committee, responded to some of the previous comments and asked the Mayor and Council to approve the suggested alignment of the Downtown Links extension.
- m. Sonya Diehn spoke in opposition to the suggested alignment of the Downtown Links extension.
- n. Tim Hagyard spoke in opposition to the suggested alignment of the Downtown Links extension.
- o. Jeff DiGregorio, President of the Iron Horse Neighborhood Association, spoke in favor of the suggested alignment of the Downtown Links extension.

**7. CONSENT AGENDA – ITEMS A THROUGH HH**

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

**A. REAL PROPERTY: SALE OF SURPLUS CITY PROPERTY LOCATED AT 105 SOUTH LONGFELLOW**

1. Report from City Manager JULY8-08-353 WARD 6
2. Ordinance No. 10559 relating to real property; declaring certain city-owned real property near Broadway Boulevard and Alvernon Way to be surplus and authorizing the sale of said property to James R. Smith; and declaring an emergency.

**B. REAL PROPERTY: SALE OF SURPLUS CITY PROPERTY LOCATED AT 3849 EAST CALLE ALTAR**

1. Report from City Manager JULY8-08-354 WARD 6
2. Ordinance No. 10560 relating to real property; declaring certain city-owned real property near Broadway Boulevard and Alvernon Way to be surplus and authorizing the sale of said property to the Milton & Shirley Silverman Revocable Trust; and declaring an emergency.

**C. BOARDS, COMMITTEES, AND COMMISSIONS: CREATING THE 22ND STREET CORRIDOR CITIZEN OVERSIGHT COMMITTEE**

1. Report from City Manager JULY8-08-368 WARD 5
2. Resolution No. 21000 relating to Boards and Commissions; creating the 22<sup>nd</sup> Street Corridor Citizen Oversight Committee; and declaring an emergency.

**D. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE AND TUCSON UNIFIED SCHOOL DISTRICT FOR DISTRIBUTION OF GAMING REVENUE**

1. Report from City Manager JULY8-08-355 CITY-WIDE

2. Resolution No. 21001 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson, the Pascua Yaqui Tribe and the Tucson Unified School District (TUSD) to provide \$75,000 in gaming revenues for use by TUSD for student tutoring, parent involvement programs, and student attendance incentives and rewards; and declaring an emergency.
- E. DEVELOPMENT AGREEMENT: WITH 5TH AND 6TH PARTNERS, LLC FOR THE WEST UNIVERSITY LOFTS PROJECT
1. Report from City Manager JULY8-08-371 WARD 6
  2. Resolution No. 21002 relating to real estate: authorizing and approving the execution of a Development Agreement between the City of Tucson and 5<sup>th</sup> and 6<sup>th</sup> Partners, LLC for the construction of the West University Lofts located 222 East Fifth Street; and declaring an emergency.
- F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE HEDRICK ACRES NEIGHBORHOOD REINVESTMENT GRANT PROJECT
1. Report from City Manager JULY8-08-357 WARD 3
  2. Resolution No. 21003 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Hedrick Acres Reinvestment Grant Project; and declaring an emergency.
- G. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE FOR THE PASCUA NEIGHBORHOOD CENTER WALL
1. Report from City Manager JULY8-08-359 WARD 3
  2. Resolution No. 21004 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and the Pascua Yaqui Tribe to provide \$100,000 in gaming revenues for construction of the Pascua Neighborhood Center Wall; and declaring an emergency.
- H. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE NORTHWEST NEIGHBORHOOD REINVESTMENT GRANT PROJECT
1. Report from City Manager JULY8-08-356 WARD 3

2. Resolution No. 21005 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for the Northwest Neighborhood Reinvestment Project; and declaring an emergency.
- I. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR IMPROVEMENTS TO THE ROSE NEIGHBORHOOD PEDESTRIAN BRIDGE
    1. Report from City Manager JULY8-08-369 WARD 1
    2. Resolution No. 21006 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and Pima County for Design and Construction of Improvements to the Rose Neighborhood Pedestrian Bridge over the Rodeo Wash; and declaring an emergency.
  - J. MAYOR AND COUNCIL: AMENDING THE 2008 MAYOR AND COUNCIL MEETING SCHEDULE
    1. Report from City Manager JULY8-08-375 CITY-WIDE
    2. Ordinance No. 10561 relating to administration; amending Section 1 of Ordinance 10484, which approved a schedule of Mayor and Council regular meeting dates for 2008, to reschedule the regular meeting date of August 5, 2008 to August 6, 2008; and declaring an emergency.
  - K. INTERGOVERNMENTAL AGREEMENT: WITH THE STATE OF ARIZONA FOR INSPECTION OF BRIDGES ACCORDING TO NATIONAL BRIDGE INSPECTION STANDARDS
    1. Report from City Manager JULY8-08-361 CITY-WIDE
    2. Resolution No. 21007 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson and the State of Arizona for inspection of bridges in accordance with the National Bridge Inspection Standards (NBIS); and declaring an emergency.
  - L. INTERGOVERNMENTAL AGREEMENT: WITH THE CITY OF SOUTH TUCSON FOR MAINTENANCE OF TRAFFIC SIGNALS
    1. Report from City Manager JULY8-08-360 OUTSIDE CITY



2. Resolution No. 21008 relating to Intergovernmental Agreements; authorizing and approving the execution of an Intergovernmental Agreement between the City of Tucson and the City of South Tucson for maintenance of traffic signals within the South Tucson City limits; and declaring an emergency.
- M. ASSURANCE AGREEMENT AND FINAL PLAT: (S07-025) WILMOT/I-10 COMMERCIAL CENTER, BLOCKS 1 TO 5 AND COMMON AREA “A”
1. Report from City Manager JULY8-08-373 WARD 5
  2. Resolution No. 21009 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S07-025 and approving the final plat for the Wilmot/I-10 Commercial Center, Blocks 1 through 5 and Common Area “A”; and declaring an emergency.
  3. Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- N. INTERGOVERNMENTAL AGREEMENT: WITH THE PASCUA YAQUI TRIBE AND SUNNYSIDE UNIFIED SCHOOL DISTRICT FOR DISTRIBUTION OF GAMING REVENUE
1. Report from City Manager JULY8-08-364 CITY-WIDE
  2. Resolution No. 21010 relating to Intergovernmental Agreements; approving and authorizing the execution of an Intergovernmental Agreement between the City of Tucson, the Pascua Yaqui Tribe and Sunnyside Unified School District #12 (SUSD) to provide \$25,000 in gaming revenues for use by SUSD to increase academic achievement, attendance incentives, and parental participation project; and declaring an emergency.
- O. GRANT APPLICATION: SUBMISSION OF A GRANT APPLICATION TO THE TOHONO O’ODHAM NATION – REVENUE SHARING PROGRAM
1. Report from City Manager JULY8-08-370 WARDS 1, 5, AND 6
  2. Resolution No. 21011 relating to grants; approving and authorizing submission of a grant application to the Tohono O’odham Nation - Revenue Sharing Program; and declaring an emergency.

P. SUSTAINABLE DEVELOPMENT: ADOPTION OF THE FRAMEWORK FOR ADVANCING SUSTAINABILITY

1. Report from City Manager JULY8-08-374 CITY-WIDE
2. Resolution No. 21012 relating to Sustainable Economic Growth and Development; adopting and approving the Framework for Advancing Sustainability; directing City staff to move forward with the implementation of a Sustainability Program as outlined in the Framework for Advancing Stability, including the creation of a Climate Change Committee through an ordinance separately approved by Mayor and Council; and declaring an emergency.

Q. ASSURANCE AGREEMENT AND FINAL PLAT: (S08-070) 5020 FORT LOWELL SUBDIVISION, LOTS 1 TO 5

1. Report from City Manager JULY8-08-363 WARD 2
2. Resolution No. 21013 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S08-070 and approving the final plat for the 5020 Fort Lowell Subdivision, Lots 1 through 5; and declaring an emergency.
3. Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

R. REAL PROPERTY: ACQUISITION OF WATER EASEMENT FOR A MAIN REPLACEMENT ON TWIN HILLS TRAIL NEAR MELPOMENE WAY

1. Report from City Manager JULY8-08-377 OUTSIDE CITY
2. Resolution No. 21014 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary, certain real property located north of 22<sup>nd</sup> Street, east of Melpomene Road, for a water pipeline easement; and declaring an emergency.

S. ASSURANCE AGREEMENT AND FINAL PLAT: (S07-122) SWAN/LEE OFFICES, LOTS 1 TO 17 AND COMMON AREA "A"

1. Report from City Manager JULY8-08-365 WARD 6

2. Resolution No. 21015 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S07-122 and approving the final plat for the Swan/Lee Offices, Lots 1 through 17 and Common Area “A”; and declaring an emergency.
  3. Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- T. ASSURANCE AGREEMENT AND FINAL PLAT: (S06-270) LITTLETOWN AND WILMOT INDUSTRIAL PARK, LOTS 1 TO 24 AND COMMON AREAS “A” TO “E”
1. Report from City Manager JULY8-08-366 WARD 5
  2. Resolution No. 21016 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-270 and approving the final plat for Littletown and Wilmot Industrial Park Subdivision, Lots 1 through 24 and Common Areas “A” through “E”; and declaring an emergency.
  3. Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- U. ASSURANCE AGREEMENT AND FINAL PLAT: (S06-194) VISTA VERDE ESTATES (RCP), LOTS 1 TO 11 AND COMMON AREAS “A” TO “C”
1. Report from City Manager JULY8-08-372 WARD 2
  2. Resolution No. 21017 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-194 and approving the final plat for the Vista Verde Estates Subdivision, Lots 1 through 11 and Common Areas “A”, “B” and “C”; and declaring an emergency.
  3. Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

- V.     PARKS AND RECREATION:   FACILITY DEVELOPMENT AND USE AGREEMENT WITH RINCON LITTLE LEAGUE FOR A SCOREBOARD AT PURPLE HEART PARK
1.     Report from City Manager JULY8-08-383   WARD 4
  2.     Resolution No. 21018 relating to Parks and Recreation; authorizing and approving a Facility Development and Use Agreement between the City of Tucson and Rincon Little League, Inc. for the development of a new scoreboard to be located on Field 3 at Purple Heart Park; and declaring an emergency.
- W.     INTERGOVERNMENTAL AGREEMENT AMENDMENT:   WITH PIMA COUNTY RENEWING PARTICIPATION IN THE HOME PROGRAM
1.     Report from City Manager JULY8-08-378   CITY-WIDE
  2.     Resolution No. 21020 relating to Community Services; authorizing and approving the execution of an amendment to an Intergovernmental Agreement between the City of Tucson and Pima County to renew a consortium for the purpose of continuing participation in the Federal “HOME Program” for Fiscal Year 2009; and declaring an emergency.
- X.     ASSURANCE AGREEMENT AND FINAL PLAT: (S06-044) SUNNYSIDE POINTE (RCP), LOTS 1 TO 267 AND COMMON AREAS “A” TO “C”
1.     Report from City Manager JULY8-08-367   WARD 5
  2.     Resolution No. 21019 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements in Case No. S06-044 and approving the final plat for Sunnyside Pointe Subdivision, Lots 1 through 267 and Common Areas “A” through “C”, an RCP subdivision; and declaring an emergency.
  3.     Staff recommends that the Mayor and Council approve the assurance agreement and the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- Y.     TUCSON CODE: AMENDING (CHAPTER 7) RELATING TO CERTIFICATE OF OCCUPANCY DISCLOSURE
1.     Report from City Manager JULY8-08-382   CITY-WIDE

2. Ordinance No. 10562 relating to real property; amending the Tucson Code Chapter 7 by adding a new Article XXIV (New Sections 7-501 through 7-504) requiring commercial real property lessors to disclose to the lessee a statement advising the lessee to contact the Development Services Department prior to execution of a lease agreement; and setting an effective date and declaring an emergency.
- Z. TUCSON CODE: AMENDING (CHAPTER 27) RELATING TO WATER BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL
1. Report from City Manager JULY8-08-385 CITY-WIDE AND OUTSIDE CITY
  2. Ordinance No. 10563 relating to water; amending the Tucson Code, Chapter 27, Water, Article V, Backflow Prevention and Cross Connection Control, Section 27-70 Definitions, Section 27-80 Test, Notification, Maintenance, Record; Section 27-82 Discontinuance of Water Service; and declaring an emergency.
- AA. INTERGOVERNMENTAL AGREEMENT: PROVIDING MUTUAL AID AMONG MEMBERS OF THE ARIZONA WATER AND WASTEWATER AGENCY RESPONSE NETWORK
1. Report from City Manager JULY8-08-376 CITY-WIDE & OUTSIDE CITY
  2. Resolution No. 21021 relating to Water; approving and authorizing the execution of an Intergovernmental Agreement among members of the Arizona Water and Wastewater Agency Response Network (AZWARN); and declaring an emergency.
- BB. REAL PROPERTY: AUTHORIZING THE NEGOTIATION OF A PURCHASE AGREEMENT WITH MADDEN MEDIA FOR THE MACARTHUR BUILDING
1. Report from City Manager JULY8-08-387 WARD 6
  2. Resolution No. 21022 relating to real property; authorizing and directing the City Manager to negotiate an agreement for sale of the MacArthur Building; and declaring an emergency.
- CC. APPROVAL OF MINUTES
1. Report from City Manager JULY8-08-386 CITY-WIDE

2. Approval of minutes for the regular meeting of the Mayor and Council held on April 15, 2008
- DD. REAL PROPERTY: REVISED OFFER TO PURCHASE FOR THE VACATION AND SALE OF PORTIONS OF ORACLE ROAD, DRACHMAN STREET, AND ALLEY RIGHT OF WAY TO SKYLIGHT PRODUCTIONS, LLC
1. Report from City Manager JULY8-08-352 WARD 3
  2. Ordinance No. 10568 relating to real property; vacating and declaring certain portions of City-owned real property near Oracle Road and Drachman Street to be surplus and authorizing the sale of said property to Skylight Productions L.L.C.; repealing Ordinance No. 10314 of September 6, 2006; and declaring an emergency.
- EE. BOARDS AND COMMISSIONS: CREATING THE TRANSIT TASK FORCE
1. Report from City Manager JULY8-08-388 CITY-WIDE
  2. Resolution No. 21023 relating to Boards and Commissions; creating the Transit Task Force; and declaring an emergency.
- Roger W. Randolph, City Clerk, announced this item would be considered separately at the request of Council Member Leal.
- FF. FINANCIAL PARTICIPATION AGREEMENT: WITH TUCSON CLEAN AND BEAUTIFUL FOR FISCAL YEAR 2009
1. Report from City Manager JULY8-08-358 CITY-WIDE
  2. Resolution No. 21024 relating to Financial Participation Agreements; authorizing and approving the Fiscal Year 2009 Financial Participation Agreement with Tucson Clean and Beautiful; and declaring an emergency.
- GG. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE SOUTHERN ARIZONA AIDS FOUNDATION AND THE TUCSON SENIOR SOFTBALL LEAGUE
1. Report from City Manager JULY8-08-391 WARD 5

2. Resolution No. 21026 relating to Finance; approving and authorizing the allocation of Seven Hundred and Fifty Dollars (\$750) from the Ward 5 Office Community Support Fund, Account No. 001-183-1898-268, to be distributed to the Southern Arizona AIDS Foundation for the AIDS Walk 2008 (\$500) and to the Tucson Senior Softball League for Parks rental permits (\$250); and declaring an emergency.

This is a request by Council Member Leal. Allocation of funds is as follows: Council Member Leal - \$750.00

Roger W. Randolph, City Clerk, announced an amendment to Consent Agenda Item GG, Vice Mayor Trasoff would allocate an additional \$1,000 for a total contribution of \$1,500 to the Southern Arizona AIDS Foundation for the AIDS Walk 2008. This would bring the overall total to \$1,750.

**HH. TRANSPORTATION: APPROVING THE DOWNTOWN LINKS PROJECT ALIGNMENT**

1. Report from City Manager JULY8-08-392 WARDS 1, 5 AND 6
2. It is recommended that the Mayor and Council approve the alignment as recommended by the Downtown Links Citizen Advisory Committee.

Roger W. Randolph, City Clerk, announced this item would be considered separately.

It was moved by Council Member Scott, duly seconded, that Consent Agenda Items A through HH, with the exception of Items EE and HH which would be considered separately, and with Item GG as amended, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Consent Agenda Items A through HH, with the exception of Items EE and HH which would be considered separately, and with Item GG as amended, were declared passed and adopted by a roll call vote of 7 to 0.

**7. CONSENT AGENDA – ITEM EE**

**EE. BOARDS AND COMMISSIONS: CREATING THE TRANSIT TASK FORCE**

1. Report from City Manager JULY8-08-388 CITY-WIDE
2. Resolution No. 21023 relating to Boards and Commissions; creating the Transit Task Force; and declaring an emergency.

This item was removed from the consent agenda at the request of Council Member Leal.

Council Member Leal asked Department of Transportation Director James Glock to elaborate on the motion to create the task force and the commission to follow.

Mr. Glock said at the Study Session a motion was made to create the Transit Task Force initially, then Department of Transportation staff were to come back with the recommendation to create an expanded commission to oversee the planning of alternate modes of transportation. He clarified that was the motion before the Mayor and Council.

It was moved by Council Member Leal, duly seconded, that Consent Agenda Item EE be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Consent Agenda Item EE was declared passed and adopted by a roll call vote of 7 to 0.

**7. CONSENT AGENDA – ITEM HH**

**HH. TRANSPORTATION: APPROVING THE DOWNTOWN LINKS PROJECT ALIGNMENT**

1. Report from City Manager JULY8-08-392 WARDS 1, 5 AND 6



2. It is recommended that the Mayor and Council approve the alignment as recommended by the Downtown Links Citizen Advisory Committee.

It was moved by Vice Mayor Trasoff, duly seconded, that Consent Agenda Item HH be passed and adopted and the proper action taken.

Council Member Leal said he had been directed by the City Manager to express a conflict of interest on this item for financial reasons.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, and Scott  
Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Consent Agenda Item HH was declared passed and adopted by a roll call vote of 6 to 0 (Council Member Leal declared a conflict of interest).

## **8. ZONING: (C9-08-03) SELLAROLE, LLC – SELLAROLE ROAD, SR TO R-1, CITY MANAGER’S REPORT**

Mayor Walkup announced City Manager's communication number 362, dated July 8, 2008, was received into and made a part of the record. He said this was a request for rezoning of property located on the north side of Sellarole Road and west of Harrison Road. The Zoning Examiner and staff recommended authorization of the rezoning subject to certain conditions. He asked if the applicant or representative were present, and if they were agreeable to the proposed requirements.

Victor Bolduc of Paragon Architects, representing the applicant, stated he was agreeable to all the conditions.

It was moved by Council Member Scott, duly seconded, to authorize the request for rezoning as recommended by the Zoning Examiner.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and  
Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

The motion to authorize the request for rezoning as recommended by the Zoning Examiner was declared passed and adopted by a roll call vote of 7 to 0.

**9. ZONING: (SE-08-06) VERIZON AT MCGRAW'S – HOUGHTON ROAD, SR ZONING, SPECIAL EXCEPTION LAND USE, CITY MANAGER'S REPORT, ORDINANCE ADOPTION**

Mayor Walkup announced City Manager's communication number 379, dated July 8, 2008, and the report from the Zoning Examiner were received into and made a part of the record. He said this was a Special Exemption Land Use request for property located on the west side of Houghton Road south of Escalante Road. The Zoning Examiner and staff recommended authorization of the rezoning subject to certain conditions. He asked if the applicant or representative were present, and if they were agreeable to the proposed requirements.

Todd Daoust of Commscapes, on behalf of the property owner Tucson Cactus and Cattle Company, and Verizon Wireless stated he was agreeable to all the conditions.

Mayor Walkup asked the City Clerk to read Ordinance 10564 by number and title only.

Ordinance No. 10564 relating to zoning: approving a special exception land use, Communications Use, Verizon at McGraw's, located on the west side of Houghton Road, south of Escalante Road; approving with conditions the construction of a 30 foot high wireless communications tower disguised as a saguaro cactus in the SR Zone, Case SE-08-06; and setting an effective date.

It was moved by Council Member Scott, duly seconded, to authorize the request for rezoning as recommended by the Zoning Examiner and pass and adopt Ordinance 10564.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Ordinance 10564 was declared passed and adopted by a roll call vote of 7 to 0.

**10. ZONING: (SE-07-28) AT&T MCGRAWS – HOUGHTON ROAD, SR ZONING, SPECIAL EXCEPTION LAND USE, CITY MANAGER’S REPORT, ORDINANCE ADOPTION**

Mayor Walkup announced City Manager's communication number 381, dated July 8, 2008, and the report from the Zoning Examiner were received into and made a part of the record. He said this was a Special Exemption Land Use request for property located on the west side of Houghton Road south of Escalante Road. The Zoning Examiner and staff recommended authorization of the rezoning subject to certain conditions. He asked if the applicant or representative were present, and if they were agreeable to the proposed requirements.

Scott Quinn, on behalf of the property owner, stated he was agreeable to all the conditions.

Mayor Walkup asked the City Clerk to read Ordinance 10565 by number and title only.

Ordinance No. 10565 relating to zoning: approving a special exception land use, Communications Use, AT&T McGraws, located on the west side of Houghton Road, south of Escalante Road; approving with conditions the construction of a 35-foot high wireless communications tower disguised as a saguaro cactus in the SR Zone, Case SE-07-28; and setting an effective date.

It was moved by Council Member Scott, duly seconded, to authorize the request for rezoning as recommended by the Zoning Examiner and pass and adopt Ordinance 10565.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Ordinance 10565 was declared passed and adopted by a roll call vote of 7 to 0.

**11. ZONING: (SE-08-02) AT&T – ANKLAM ROAD, C-1 ZONING, SPECIAL EXCEPTION LAND USE, CITY MANAGER’S REPORT, ORDINANCE ADOPTION**

Mayor Walkup announced City Manager's communication number 380, dated July 8, 2008, and the report from the Zoning Examiner were received into and made a part of the record. He said this was a Special Exemption Land Use request for property located on the northeast corner of Anklam Road and La Cholla Boulevard. The Zoning Examiner and staff recommended authorization of the rezoning subject to certain conditions. He asked if the applicant or representative were present, and if they were agreeable to the proposed requirements.

Scott Quinn of Quinn United, on behalf of the property owner and AT&T and Anklam Properties, introduced himself and said he would be willing to answer any questions.

Council Member Romero asked Peter Gavin, Zoning Examiner, if there were any other considerations for this communications tower other than a palm tree. She said she had a big thing about native vegetation.

Mr. Gavin said there was the option of a saguaro.

Vice Mayor Trasoff asked how many fifty-five foot saguaros there were.

Council Member Glassman said he thought it would look spectacular compared to the thirty-five foot saguaro that had been approved for Ward 4.

Mr. Gavin said upon examining the site, there were other palm trees in the surrounding areas and this was the reason for recommending that disguise for the tower.

Council Member Romero asked if the palm tree tower would be alone by itself.

Mr. Gavin said one of the conditions for approval would be the requirement for four other palm trees to be planted by the tower.

Council Member Romero asked if this could be discussed further even if it was approved that evening.

Mr. Gavin said if the ordinance was approved that evening, they would be saying the applicant had permission to disguise the tower as a palm tree. He said they should discuss it before approving the ordinance.

Council Member Romero asked if there had been any objections from the neighborhoods in the area to the proposed tower.

Mr. Gavin said no one attended the hearing on this matter held on April 10, 2008.

Albert Elias, Urban Planning and Design Director, said there had been no written protests or approvals filed.

Mr. Quinn said there had been two written approvals and no protests to the proposal. He said the palm tree was fifty-five feet to the top of the fake fronds, but the centerline of the antenna was forty-seven and a half feet. The larger height was based on the stealthing requirements. He said there were other palm trees in the area and it was one hundred and forty-seven feet from the road. He added that it was to the rear of the twenty-foot high building. He said there was additional vegetation in the corridor and this should mitigate any visual concerns.

Council Member Romero asked if the natural palm trees that would be planted there would be the same height.

Mr. Quinn said he believed the requirement was they were to be forty feet tall. He said this might become an interference issue for the tower as they grew, but that was their problem to deal with when the time came.

Council Member Romero said given the circumstances she would approve the proposal, but asked that Mr. Quinn come to her offices and speak to her in the future about such matters.

It was moved by Council Member Romero, duly seconded, to authorize the request for rezoning as recommended by the Zoning Examiner and pass and adopt Ordinance 10567.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Ordinance 10567 was declared passed and adopted by a roll call vote of 7 to 0.

**12. CITY CLERK: APPOINTMENT OF THE CITY CLERK**

Mayor Walkup announced City Manager's communication number 384, dated July 8, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10566 by number and title only.

Ordinance No. 10566 relating to the City Clerk; appointing the City Clerk; and declaring an emergency.

It was moved by Council Member Romero, duly seconded, to pass and adopt Ordinance 10566.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Ordinance 10566 was declared passed and adopted by a roll call vote of 7 to 0.

**13. LABOR AGREEMENT: WITH THE TUCSON POLICE OFFICERS ASSOCIATION**

Mayor Walkup announced City Manager's communication number 390, dated July 8, 2008, was received into and made a part of the record. He asked the City Clerk to read Resolution 21025 by number and title only.

Resolution No. 21025 relating to employee relations; authorizing the City Manager to execute an Agreement with the Tucson Police Officers Association (TPOA) effective July 1, 2008 through June 30, 2011; and declaring an emergency.

It was moved by Vice Mayor Trasoff, duly seconded, to pass and adopt Resolution 21025.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and  
Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Resolution 21025 was declared passed and adopted by a roll call vote of 7 to 0.

**14. RELATING TO PERSONNEL: AMENDING TUCSON CODE (CHAPTER 22) DEATH BENEFITS FOR EMPLOYEE GROUP ELIGIBLE FOR REPRESENTATION BY TUCSON POLICE OFFICERS ASSOCIATION**

Mayor Walkup announced City Manager's communication number 389, dated July 8, 2008, was received into and made a part of the record. He asked the City Clerk to read Ordinance 10569 by number and title only.

Ordinance No. 10569 relating to Other Insurance Benefits; amending the Tucson Code Chapter 22, Article VI Section 22-101 Death benefit for employee group eligible for representation by TPOA, and declaring an emergency.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10569.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Romero, Glassman, Uhlich, Scott and  
Leal; Vice Mayor Trasoff and Mayor Walkup

Nay: None

Absent/Excused: None

Ordinance 10569 was declared passed and adopted by a roll call vote of 7 to 0.

**15. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Walkup announced City Manager's communication number 350, dated July 8, 2008, was received into and made a part of the record.

Council Member Glassman appointed Amy Friauf, to the Transit Task Force.

Council Member Leal appointed W. Eugene Caywood, to the Transit Task Force.

Vice Mayor Trasoff appointed Yaakov Eisenberg, to the Transit Task Force.

Council Member Uhlich appointed Carolyn Campbell, to the Transit Task Force.

**16. ADJOURNMENT:** 6:59 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on August 6, 2008, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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CITY CLERK

**CERTIFICATE OF AUTHENTICITY**

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 8th day of July 2008, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

RWR:drsp:jr